

Senate Amendment 3201

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1 1 Amend Senate File 513 as follows:
1 2 #1. Page 7, by inserting after line 3 the
1 3 following:
1 4 <Sec. _____. NEW SECTION. 26.16 SALE OF BONDS
1 5 WITHOUT HEARING OR CONTRACT.
1 6 A governmental entity may authorize, sell, issue,
1 7 and deliver its bonds whether or not notice and
1 8 hearing on the plans, specifications, form of
1 9 contract, and estimated cost for the public
1 10 improvement to be paid for in whole or in part from
1 11 the proceeds of the bonds has been given, and whether
1 12 or not a contract has been awarded for the
1 13 construction of the public improvement. This section
1 14 does not apply to bonds which are payable solely from
1 15 special assessment levies against benefited property.
1 16 Sec. _____. NEW SECTION. 26.17 EMERGENCY REPAIRS
1 17 == PROCEDURES.
1 18 When emergency repair of a public improvement is
1 19 necessary and a delay for advertising, hearing, or
1 20 notice might cause serious loss or injury to the
1 21 governmental entity, the governmental entity's
1 22 governing body shall, by resolution, make a finding of
1 23 the necessity based upon a certificate from an
1 24 engineer licensed under chapter 542B or an architect
1 25 registered under chapter 544A, not in the regular
1 26 employ of the governmental entity, certifying that
1 27 emergency repairs are necessary. After such finding
1 28 is made, the governmental entity may proceed to
1 29 contract for emergency repairs without complying with
1 30 the advertising, hearing, or notice provisions of this
1 31 chapter.
1 32 Sec. _____. Section 314.1, subsection 2, Code 2007,
1 33 is amended to read as follows:
1 34 2. Notwithstanding any other provision of law to
1 35 the contrary, a public improvement that involves the
1 36 construction, reconstruction, or improvement of a
1 37 highway, bridge, or culvert and that has a cost in
1 38 excess of the applicable threshold in section 73A.18,
1 39 262.34, 297.7, 309.40, 310.14, or 313.10, as modified
1 40 by the bid threshold subcommittee pursuant to section
1 41 314.1B, shall be advertised and let for bid, except
1 42 such public improvements that involve emergency work
1 43 pursuant to section 26.17, 309.40A, or 313.10,~~or~~
~~1 44 384.103, subsection 2.~~ For a city having a population
1 45 of fifty thousand or less, a public improvement that
1 46 involves the construction, reconstruction, or
1 47 improvement of a highway, bridge, or culvert that has
1 48 a cost in excess of twenty-five thousand dollars, as
1 49 modified by the bid threshold subcommittee pursuant to
1 50 section 314.1B, shall be advertised and let for bid,
2 1 excluding emergency work. However, a public
2 2 improvement that has an estimated total cost to a city
2 3 in excess of a threshold of fifty thousand dollars, as
2 4 modified by the bid threshold subcommittee pursuant to
2 5 section 314.1B, and that involves the construction,
2 6 reconstruction, or improvement of a highway, bridge,
2 7 or culvert that is under the jurisdiction of a city
2 8 with a population of more than fifty thousand, shall
2 9 be advertised and let for bid. Cities required to
2 10 competitively bid highway, bridge, or culvert work
2 11 shall do so in compliance with the contract letting
2 12 procedures of sections 26.3 through 26.13.>
2 13 #2. Page 7, by inserting before line 20 the
2 14 following:
2 15 <Sec. _____. Section 357A.12, unnumbered paragraph
2 16 2, Code 2007, is amended to read as follows:
2 17 The procedures for competitive bidding specified in
2 18 chapter 26 ~~and for emergency repairs as specified in~~
~~2 19 section 384.103, subsection 2,~~ shall apply to
2 20 construction carried out pursuant to this chapter.>
2 21 #3. Page 9, by inserting after line 3 the
2 22 following:
2 23 <Sec. _____. Section 390.3, unnumbered paragraph 2,
2 24 Code 2007, is amended to read as follows:

2 25 However, in the performance of a joint agreement,
2 26 the governing body is not subject to statutes
2 27 generally applicable to public contracts, including
2 28 hearings on plans, specifications, form of contracts,
2 29 costs, notice and competitive bidding required under
2 30 chapter 26 ~~and section 384.103~~, unless all parties to
2 31 the joint agreement are cities located within the
2 32 state of Iowa.

2 33 Sec. _____. Section 384.103, Code 2007, is
2 34 repealed.>

2 35 [#4.](#) By renumbering as necessary.

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2 39 HERMAN C. QUIRMBACH

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